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U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

SEP 16 1999
U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL J. BARBIERI,

Defendant.

Cause No. 4:95CR158CAS

INTERVENOR'S MOTION TO OPEN SEALED FILES

COMES NOW Intervenor, Massachusetts Mutual Life Insurance Company ("Mass Mutual"), by and through its attorneys, and for its Motion to Open Sealed Files in this case, states as follows:

1. Mass Mutual and Defendant Barbieri are currently involved in pending litigation before the Honorable Jean C. Hamilton styled Massachusetts Mutual Life Insurance Company v. Michael J. Barbieri, Case No. 4:98CV783(JCH), consolidated with Michael Barbieri v. Massachusetts Mutual Life Insurance Company, Case No. 4:98CV959(JCH).
2. The pending consolidated cases involve a determination of the rights and duties of the parties under two disability insurance policies. The physical condition of Mr. Barbieri is at issue in both cases.
3. On February 29, 1996, Defendant Michael Barbieri, through his attorney, Daniel B. Hayes, moved to file Defendant's Objections to the Pre-Sentence

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4:95cr158 USA vs Barbieri

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C. D. D.